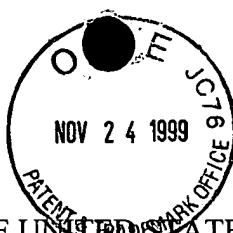


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S/N 09/308,830



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCHLIEVERT ET AL. Examiner: L. LEE
Serial No.: 09/308,830 Group Art Unit: 1645
Filed: AUGUST 4, 1999 Docket No.: 600.346USWO
Title: MUTANTS OF STREPTOCOCCAL TOXIN A AND METHODS OF USE

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 22, 1999.

By: Patricia Cygan
Patricia Cygan

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(c))

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits, but before the mailing date of a final action under 37 C.F.R. § 1.113, and before the mailing date of the Notice of Allowance under 37 C.F.R. § 1.311. Enclosed is a check in the amount of \$240.00 under 37 C.F.R. § 1.17(p) for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

Applicants would like to bring to the attention of the Examiner several patent applications on somewhat related subject matter. They are U.S. Serial No. 08/480,261, filed June 7, 1995, now abandoned; U.S. Serial No. 08/973,391, filed March 12, 1998; U.S. Serial No. 09/336,036, filed June 18, 1999; and U.S. Serial No. 09/308,829, filed July 14, 1999.

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No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
3100 Norwest Center
90 South Seventh Street
Minneapolis, Minnesota 55402
(612) 332-5300

Date: Nov 22, 1999

Mark T. Skoog
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